

Appl. No. 09/918,940
Amdt. Dated December 3, 2004
Reply to Office Action of August 3, 2004

REMARKS

Claims 1-3, 5-11 and 13-19 are pending in this application. Claims 4 and 20 are being cancelled. Amendments have been made to claims 1 and 15 to remove the relative terms rejected by the Examiner. It is believed that all requirements of the outstanding Office Action have been met, and that the application is in condition for allowance. Reconsideration of the claims herein presented and the application is respectfully requested.

Applicants respectfully request that the Examiner consider this amendment after a final rejection on the grounds that it meets all of the requirements of the outstanding Office Action and that the suggestions of the Examiner have been adopted. Applicants wish to thank the Examiner for courtesies extended to their representative Carole A. Mickelson in a telephonic interview on December 1, 2004. The Examiner was most helpful in explaining his reasoning and suggesting possible amendments. Those suggestions have been adopted here.

The Information Disclosure Statement filed on September 28, 2001 was objected to for failure to comply with 37 C.F.R. § 1.98(a)(3) because it did not include a concise statement of the relevance of FR 2302789. Attached to this amendment is a Derwent entry on this French Patent. Only a title is given, but the title is descriptive enough to give

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some insight as to the invention. Applicants respectfully request that this reference be considered to any extent possible.

The drawings have been objected to under 37 C.F.R. § 1.83(a) as failing to show every feature specified in the claims. Although the pinch valve recited in claim 4 and the halo fitting of claim 20 are shown in FIG. 3, this figure is drawn to a non-elected invention. Therefore, claims 4 and 20 have been cancelled. As a result, the drawings should now be acceptable and withdrawal of this objection is respectfully requested.

Claims 1-3, 5-11 and 13-19 stand rejected under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner has objected to the terms “close” and “smooth” in claims 1 and 15, as well as “minimizing” in claim 15. Each of these terms has been removed from all claims in which they appear. In claims 1 and 15, the phrase “in close relationship with said axis” has been amended to read “in the approximate midpoint of said passageway[.]” Support for the new language is found on page 21, lines 9-10. Additionally, these claims have been amended to remove the phrase “smooth transition of fluid and the” from the claims. The last paragraph of claim 15 has been amended to describe the injector as being configured “to provide a streamlined profile in said

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main slurry passageway” and removing the term “minimizing[.]” Support for the amendment to claim 15 is found on page 21, lines 27-28.

All of the terms deemed by the Examiner to be indefinite have been removed from the claims. Applicants’ therefore, respectfully request that the rejection be withdrawn and that the claims be reconsidered.

Additionally, the specification is being amended to read “84 liters/hr” instead of “84 tons/hr”. Applicant submit that this error would be obvious if one considers that the minimum flow rate would be larger than the maximum flow rate of reasonable densities.


The above amendments to the claims, in view of the foregoing remarks, are believed to place the present application in condition for allowance or in proper condition for appeal and allowance of the application is earnestly solicited.

Applicants submit that in view of the above-identified amendments and remarks, the claims in their present form are patentably distinct over the art of record. Allowance of the rejected claims is respectfully requested. Should the Examiner discover

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there are remaining issues which may be resolved by a telephone interview, he is invited to contact Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,
GREER, BURNS & CRAIN, LTD.

By: 
Carole A. Mickelson
Registration No. 30,778

December 3, 2004
300 South Wacker Drive, Suite 2500
Chicago, Illinois 60606
(312) 360-0080
Customer No. 24978
P:\DOCS\2033\64694\764293.DOC

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The Delphion Integrated View: INPADOC RecordGet Now: ☒ PDF | [More choices...](#)Tools: Add to Work File: [Create new Wo](#)View: Jump to: Go to: [Derwent](#)[Email](#)Title: **FR2302789A1: PERFECTIONNEMENT AUX LANCES A BETON**Derwent Title: Additive injector for concrete pump - has liquid accelerator mixed with compressed air and fed through sloping channels around jet [\[Derwent Record\]](#)Country: **FR France**Kind: **A1 Application, First Publication** (See also: [FR2302789B1](#))Inventor: **None**Assignee: **CAMPENON BERNARD SA France**
[News, Profiles, Stocks and More about this company](#)Published / Filed: **1976-10-01 / 1975-03-06**Application Number: **FR1975007506997**IPC Code: **B05B 7/00; E21D 11/10;**ECLA Code: **None**Priority Number: **1975-03-06 FR1975007506997**INPADOC
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PDF	Patent	Pub. Date	Inventor	Assignee	Title
<input checked="" type="checkbox"/>	US5678766	1997-10-21	Peck; William E.		Foam nozzle
<input checked="" type="checkbox"/>	US5358751	1994-10-25	Venn; Anthony B.	Hallgarth Construction Limited	Ferrocement lining units, r making them and method: water course with them
<input checked="" type="checkbox"/>	US5320424	1994-06-14	Annett; Martin F.	FOSROC International Ltd.	Apparatus for delivering a setting composition

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